

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE LEVYING TAXES FOR THE TOWN OF ADDISON, TEXAS AND FIXING AND ADOPTING THE TAX RATE ON ALL TAXABLE PROPERTY FOR THE YEAR 2013 AT A RATE OF \$0. _____ PER ONE HUNDRED DOLLARS (\$100.00) VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE TOWN OF ADDISON AS OF JANUARY 1, 2013, THE SAID TAX RATE HAVING A MAINTENANCE AND OPERATIONS COMPONENT AND A DEBT SERVICE COMPONENT; PROVIDING FOR A PENALTY AND INTEREST FOR DELINQUENT TAXES; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Texas Tax Code Sections 26.04 through 26.06, the Tax Assessor-Collector for the Town of Addison, Texas (the "City") has calculated the tax rate for the fiscal year 2013-2014 which cannot be exceeded without requisite publications and public hearings; and

WHEREAS, the tax rate for the fiscal year 2013-2014 as initially contemplated (proposed) by the City Council did, and as adopted herein does, exceed the said rate calculated by the Tax Assessor-Collector; and

WHEREAS, the Town of Addison complied with the State of Texas Truth-in-Taxation laws and advertised the proposed tax rate and conducted two public hearings on the tax rate, and all notices and hearings and other applicable steps required by law as a prerequisite to the passage, approval, and adoption of this Ordinance have been timely and properly given and held; and

WHEREAS, Section 26.05(a), Tex. Tax Code, provides that the tax rate consists of two components (one of which will impose the amount of taxes needed to pay debt service, and the other of which will impose the amount of taxes needed to fund maintenance and operation expenses for the next year), and each of such components must be approved separately, the tax rate set forth herein consists of those two components and they are approved separately; and

WHEREAS, THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE; and

WHEREAS, THE TAX RATE WILL EFFECTIVELY BE RAISED BY _____ *[insert percentage by which the tax rate exceeds the effective maintenance and operations rate]* PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$_____; and

WHEREAS, upon full review and consideration of the matter, the City Council is of the opinion that the tax rate for the year 2013 set, fixed and adopted herein below is proper.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. That there is hereby levied and ordered to be assessed and collected an ad valorem tax rate of \$0._____ on each One Hundred Dollars (\$100.00) of assessed valuation for all taxable property located in the Town of Addison on the 1st day of January 2013, and not exempted from taxation by the constitution and laws of the State of Texas to provide for the expenses of the Town of Addison for the Fiscal Year beginning October 1, 2013 and ending September 30, 2014. The said tax is made up of three components, as set forth in Section 2 and Section 3 of this Ordinance.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY _____ *[insert percentage by which the tax rate exceeds the effective maintenance and operations rate]* **PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$_____.**

Section 2. That \$0._____ of said taxes shall be for the maintenance and operations of the Town of Addison, of which \$0._____ of said taxes shall be for the purposes of the General Fund and \$0._____ shall be for the purposes of economic development.

Section 3. That \$0._____ of said taxes shall be for the purpose of paying interest and principal on the General Obligation and Certificates of Obligation debt for the Town of Addison.

Section 4. That the Tax Assessor-Collector or his /her designee is hereby authorized to assess and collect the tax rates and amounts herein levied.

Section 5. Taxes that are and remain delinquent on July 1, 2014 incur an additional penalty not to exceed twenty percent (20%) of the amount of delinquent taxes, penalty and interest collected; such additional penalty is to defray the costs of collection due to pursuant to the contract with the Town's attorney authorized by Section 6.30 of the Texas Tax Code, as amended.

Section 6. The above and foregoing recitals are true and correct and are incorporated into this Ordinance and made a part hereof for all purposes.

Section 7. That the necessity for setting taxes as required by the laws of the State of Texas creates an urgency and an emergency and requires that this Ordinance shall take effect and be in force from and after its adoption and immediately upon its publication as may be required by applicable law, including the Town Charter.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas on this ____ day of September, 2013.

Todd Meier, Mayor

ATTEST:

APPROVED AS TO FORM:

By: _____
Chris Terry, City Secretary

APPROVED AS TO FORM:

By: _____
John Hill, City Attorney